

The Debate or Arguments for Dissolving this present Parliament, and the calling frequent and new Parliaments.

As they were delivered in the House of Lords,
November the 20th. 1675.

THat it is according to the Constitution of the Government, the ancient Laws and Statutes of this Realm, that there should be frequent and new Parliaments, and the practice of all Ages, till this last, hath been accordingly; Parliaments, both long before and after the Conquest, were held three times a year, viz. Easter, Whitsontide, and Christmas, during the space of Eight Days for each time, and so continued with some variations, as to the times of Calling, and length of Holding; but always very short untill the Reign of Ed. 3. in the fourth year of whose Reign there was a Law made, That Parliaments should be holden every year once, or more often, and how this Law is to be understood, whether of a New Parliament every Year, or calling the Old, is most manifest, by the practice, not onely of all the Ages before, but of some Hundred of Years since that Law: Prorogations or Long Adjournments, being a thing never heard of untill latter Years.

And it is most unreasonable, that any particular number of Men should for many Years ingross so great a Trust of the People, as to be their Representatives in the House of Commons; And that all other the Gentry; and the Members

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bers of *Corporations* of the same Degree and Quality with them, should be so long excluded. Neither is it agreeable with the nature of Representatives to be continued for so long a time; and those that *choose* them, not to be allowed frequent opportunity of changing the hands, in which they are obliged to put so great a trust. The mutual correspondence and Interests of those who *choose* and are *chosen*, admitting of great variations in length of time. How many in this present *House of Commons* are there, whose business and acquaintance has not given them the occasion of the correspondence of one Letter, (for these many Years) with any *Person* of those places for whom they serve? How many may there be in future Parliaments, if continued as long as This, that may be *Protestants* when they are *chosen*, and yet may come in so many Years justly to be suspected to have changed their *Religion*? Nay, How many in this present Parliament are there, who were *chosen* by the *People* when they were of the same adequate Interest with them, and in length of time, by the Favour and Goodness of the *Prince*, and their own great Merits, are become Officers in the *Court*, and about the *Revenue*? This is not spoken to reflect on *them*, for many of *them* have behaved themselves very worthily, of those places; but yet themselves cannot say, that they are equally as free to act for those that *choose* them, as they were before: Nor are they of the same *Interest*, as when they were *chosen*; for now they gain, and have the advantage by the *Peoples* payments: And if they should say, *They are the same Men they were*, We may call their *Fellow Members* that have sate with them to Witness, whether the *Proverb* be not true, that *Honores mutant mores*, whether they have the same *Opinion*, and the same *Freedom* they had before. Nay, may it not be said without offence, that even in this *House of Commons*, there are not a few, who, when they were *chosen*, were lookt upon as *Men of Estates*; and are either since grown or discovered to be of that *indigent condition*, that they are much fitter to receive the *publick maintenance*, then give the *publick money*; and it may be charitably supposed, that those *Gentlemen* are so modest, as to

to be willing to lay down, if they could, the *publick Trust*. But 'tis most certain, that those *places* they serve for, would not be willing to continue them in it. There is no question, but 'tis the *Kings* undisputed *Prerogative* to call and end *Parliaments* when he please, and no man, nor number of men can limit him a time; but the greatest *Prince* cannot avoid the being limited by the nature of things; Representatives of the *People* are necessary to the making *Laws*, and there is a time when it is morally demonstrable, that men cease to be Representatives, there being *Circumstances* and *Proprieties* that distinguish every thing, as well as *Person* in the *World*: So that to conclude this head, We Owe the *Prince* the observance of his *time* and *place* both for calling and *duration* of *Parliaments*, and the *Prince* owes us, not onely the frequencies of *Parliaments*, but that our Representations should be preserv'd to us in *them*.

And further, if you consider the constitution of our *Governments*, where the *King* as *Head* (from whom all the vital and animal Spirits are diffused through the *Body*) has the care of *all*, whose Interest is to seek the welfare of the whole; all being his, the *strength* of the Nation being his *strength*, the *riches* his *riches*, the *glory* and *honour*, his *glory* and *honour*, and so on the contrary; But least *passion* mistake *flattery*, or the ill designs of those about the *Prince*, should make him grow cross to his *Real*, and follow a destructive imaginary Interest: There is an Estate of Hereditary *Nobility*, who are by Birth-right the *Councillors* of the *Kingdom*, and whose Interest and Business it is, to keep the Balance of the *Government* steady, that the Favourites and great Officers, exceed not their bounds, and oppress the People, that Justice be duely Administred, and that all parts of the *Government* be preserved entire; Yet even These may grow insolent (a Disease *Greatness* is liable to) or may by *Offices*, *Dependencies*, *hopes* of *Preferment*, and other accidents, become, as to the major part of them, rather the obsequious flatterers of the Court, then true supporters of the publick and *English Interest*, and therefore the Excellence of our *Government*, affords us another Estate of
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Men, which are the *Representatives* of the Free-holders, Cities, principal Burroughs, and Corporations of *England*, who by the Old Law, were to be new chosen once a year, if not oftner, so that they perfectly gave the sence of those that chose them, and were the same thing as if those were present that chose, they so newly coming from them, and so quickly returning to give an account of their Fidelity, under the penalty of shame, and no further Trust.

Thus you have in our *English Government*, the *House of Commons* affording the *Sence*, the *Mind*, the *Information*, the *Complaints*, the *Grievances*, and the *desires* of all those People for whom they serve, throughout the whole Nation. The People are thus secure, no Laws can be made, nor Money given, but what themselves, though at home, tully consent and agree to. The *Second Estate* in this *Government*, is the *Lords*, who are the *Councill*, the *Wisdom*, and *Judgment* of the *Nation*, to which their Birth, Education, and constant imployment, being the same in every Parliament, prepares and fits them. The last, and supream of all, is the *King*, One who gives Life and Vigour to the proceedings of the other Two; The Will and Desires of the People, though approved by the Wisdom and Judgment of the *Lords*, are Abortive, unless he bids them be an Act.

Humane reason can hardly contrive a more excellent Government; But if you will alter this Government, in any of the Three Parts of it, the disorders and Inconveniencies incident to the nature of such alteration, must necessarily follow; As for instance, the long continuance of any such as are entrusted for others, especially of such as have so great a power over the Purse of the Nation, must necessarily produce *Caballs*, and *Parties*, and the carrying on of private *Interests* and *Court-Factions*, rather than the publick good, or the true Interest either of the *King* or *Kingdom*. How vastly is the priviledge of a *Parliament man* encreased since the middle of the Reign of *H. 8.* ? Before, it was severall times agreed by all the *Judges*, and observed as the Law, That a Member and his Servants, were exempted onely from *Arrest*, and *Outwories*, but might be impleaded, sued, and Attached
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by his *Land* and *Goods* ; yet now they must not be *sued* in any *Case*, nor dispossessed of any thing during the time of *Priviledge* ; nay, these two last *Sessions* the *Priviledg* must extend to exempt them even from the *Judicature* of *Parliament* it self : As also before the same *King's* *Reign* the *House* of *Commons* never thought of *Judicature*, as being in the nature of their *Constitution* incapable of it ; But since they are not only become *Judges* of their own *Priviledges*, condemning and imprisoning their fellow-*Subjects* at pleasure, and without an *Oath*, and also *Judges* of all *Elections*, by which very often *they*, and not the *places*, chuse their fellow-*members* : But now 'tis come to that, that the *House* of *Commons* pass sentence on the *Lords* proceedings, make new crimes, and add Preinstruments to them by their own Authority ; If you will ask the reason of this change, 'tis plain that *Parliaments* began in *Hen. 8's* time to be longer than they ought, That Prince knowing that long *Parliaments* were fitted to make great Changes, *they* have been too frequent since, but never of that length as *this* ; Besides all this, the long continuance of *Representatives* renders them liable to be *corrupted* and won off from the *Publique-Interest* ; it gives them time to settle their *Cabals* and *Interest* at *Court*, and takes away the great Security the *Nation* has ; that if it be possible to happen that the *Spiritual* *Lords* because of their great dependence on the *Crown*, the *Popish* *Lords* being under the pressure of so severe Laws, together with the *Court* *Lords* and great *Officers* should in any future Age make up a greater number of the *House* of *Lords*, and should pass things very prejudicial to the *Publick*, yet all should prove ineffectual, and the *Nation* remain safe in an *House* of *Commons* lately chosen that have not had time to learn new *Sentiments*, or to put off their old *Principles* at a good Market. How great has been the modesty of this present *House* of *Commons*, that having had the *Purse* of the *Nation* thus long in their hands, as being those that first begun the Grants of *Subsidies* and *Aids* to the *King*, and so by consequence have all the *Addresses* made to *them*, when ever the wants of the *Crown* (which in this active Age are very often) require it, that they have not made use

of it to the prejudice of the *Publick*, or to their own advantage; It was a very high Temptation, and might easily have rendered them in their own Opinion more than *Lords*, and they are rather to be commended that they insisted on no higher Terms with the *Lords House*, than wondered at for what they did; Considering the matter, ground, and the circumstances wherein they stood, and yet they were certainly mistaken, and not a little forgot themselves, when they would not allow the *Lords House* a power of lessening the *Summs* in any *Bill of Subsidie* or *Aid* that they had once set; which was not only directly contrary to the *Interest* of the *People* that chose them, but against the *ancient* and expresse *Rule* and *Custom* of *Parliament*, whereby it is clear if the *Commons* grant *five Subsidies*, and the *Lords* agree but to *four*, that *Bill of Subsidie* need not be sent down to the *Commons* for their consent to such an alteration. And they certainly were grown very high in their own Opinion, and had a very low esteem for the *Lords*, when they neglected the safety of their best Friends in that House, and did almost with scorn refuse the passing of the *Bill* for the more fair and equal *Trial of Peers*, which in several *Sessions* was sent down to them. How great were the apprehensions of all sober and wise Men at every meeting of this present *Parliament* during these late years, and how much is to be ascribed to the goodness of our *Prince*, and to the vertue of the *Members* of this present *House of Commons*, that *Honours*, *Offices*, *Pensions*, *Money*, *Imployments* and *Gifts* had not been bestowed and accepted, and the *Government*, as in *France*, *Denmark* and other Countries, made *absolute* and at the *will* of the *Prince*? How easie this may be done in future Ages under such Princes, and such an House of Commons as may happen, if long and continued *Parliaments* be allowed for *Law*, may be made some measure of by this, where though the *Prince* had no design, and the *Members* of the *House of Commons* have shewed so great Candor and Self-denial, yet the best Observers are apt to think that we owe it to the strong and opposite *Factions* at *Court*, that many things of great Alterations have not passed.

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And moreover, it cannot be passed over with silence, nor considered without great thoughts of heart, to what a price a Member of the House of Commons place is come ; In former times when *Parliaments* were short and frequent, The *Members* constantly received their *wages* both of their *Counties* and *Burroughs* ; many of the poorer *Burroughs* petitioned to be excused from sending Members, as not being able to bear their charge ; and were so : Laws were made in favour of the Gentry, that *Corporations* should compel none but their *Freemen* of their own *Town* to serve for them ; Nay you shall find in all the ancient *Returns of Writs* for *Knights* of the *Shires*, their *Sureties* for their appearance returned with them : But now the case is altered, 1500 *l.* and 2000 *l.* and lately 7000 *l.* is a price Men pay to be intrusted : 'Tis to be hoped the Charity of those worthy Persons, and their Zeal for the Publique Interest has induced them to be at this Expence ; But it were better to be otherwise, and there is a scurvy English Proverb, *That Men that buy dear, cannot live by selling cheap.* And besides all these, the very *priviledge* of the Members, and of those they protect in a Parliament of so long duration, is a pressure that the Nation cannot well support it self under ; So many thousand *Suits of Law* stopt, so vast a *Sum of Money* withheld from the right owners, so great a quantity of *Land* unjustly *possessed*, and in many Cases the length of time securing the *possession*, and creating a *Title* ; And 'tis an Observation not unworthy the making, that all this extent of *Priviledge* beyond its due bounds has first risen from the Members of the *House of Commons* ; That *House* to this day pretends to *forty days priviledge* before and after *Parliament*, the *House of Lords* but *twenty*, and yet the *priviledge of Parliament* is the same to both : and if the *House of Commons* obtain their *forty days* to become *Law and Custom*, the *Lords* will certainly enjoy the same *priviledge* ; But the cure of this Evil is very easy in *frequent and short Parliaments*, The Members will affect no larger *priviledges* than are necessary and useful to them, for such as oppress and injure others cannot expect a *second choice*, and the present time is but short.

To all this there are *two Objections* that make a great sound, but have really nothing of weight in them ; The *first Objection* is, *That the Crown is in danger if you call a new Parliament.* If those men be in earnest that urge this, it were to be wished they would consider well what are the Men are likely to be chosen, and they are not difficult to be guest at through the whole Kingdom, Men of *Quality*, of *Estates*, and of the *best Understanding* ; Such will never affect *change*, or disturb the *Kings Government* : A *New Parliament* will be the *Nation*, and that will never stick at small matters to render themselves acceptable to their Prince. Would the *King* have acquaintance with his *People* ? *This is his way*. Would he have yet more the love of his *People* ? *Thus he is sure to have it*. Would the *King* have a considerable sum of *Money* to pay his *Debts* and put him at ease ? *Thus he cannot fail of it*, nay he shall have it as a pledge of endearment between *him* and his *people*, they give it themselves, and they know the *King* receives it as from them. The *English Nation* are a generous *people*, and have at all times exprest themselves ready to *supply* even the *Humours*, and *Excesses* of their *Princes*, and some of the best beloved *Princes* we have had were such as by *Warr*, or otherwise put us to most *Expence* : Witness *Edward* the 1st, *Edward* the 3d, and *Henry* the 5th ; but then always they were satisfied that the *Honour* of the *Nation* was preserved, and what ever private or personal *Excesses* the *Prince* had, yet the *Nation* was secure, there was no design upon them, neither should their *money* or their *strength* be used against them ; *All this is the happiness of our present state under our most gracious King*. But how shall the *People* know and be secure it is so ? but by those they annually send up to *Parliament* from amongst themselves ; Whereas if the *King* should have a great *Sum of Money* given by this *Parliament*, it would be lookt upon as *theirs*, not as the *Peoples* gift, and the best of Men with their *Circumstances* cannot avoid the suspicion, when they give much to have received some ; and men will not so cheartfully undergo the Burthen of a *Tax*, and their own Wants in the time of this general Poverty, when they apprehend others have the Thanks, and perhaps the Reward of their Sufferings.

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The *second Objection* is with great apprehensions and passion urged by the *Bishops*; *That the Church and this Parliament fall together.* Which Objection how vain it is you will easily confess, if (as was said before) the persons that are like to be chosen be considered; The dissenting *Protestants* may very probably find more favour and ease, but the *Church* can never suffer, either in her *Lands* or *Dignities* she now enjoys, by an *House of Commons* consisting of Men of the best Quality and Estates in *England*, as the next certainly will do: But, on the other side, what do the *Bishops* mean by this Assertion? most certainly it is not their intent to make the *Interest* of the *Church* and the *Nation* direct opposit and inconsistent one with the other; and yet in saying this they confess, that this *House of Commons* are not the true *Representatives* of those they serve for; that the People and they are of different minds; that if they were to choose again, they would choose other men of other sentiments; And it must be confessed that what ever is not natural is by force, and must be maintained by force. A *standing Parliament* and a *standing Army* are like those *Twins* that have their lower parts united, and are divided only above the *Navel*; they were born together, and cannot long outlive each other. Certainly that man is no friend to the *Church* that wishes it a *third* incorporated with those two.

To conclude this Debate, the continuance of this *present Parliament* any longer is unpracticable; the breach this *House of Commons* has made upon the *Lords* is as unlikely to be repaired with these present Men, as it is to be renewed by another *House of Commons* of a *new Election*; If you consider the *Power*, the *Courtship*, and the *Addresses* that these Men have for so many years enjoyed and received, they may almost be forgiven if they think themselves greater Men than the *Lords* in the higher House; besides it is very well known that many of the ablest and most worthy Patriots amongst them have carried this Difference to the greatest height with this only design, that by this means they might deliver the Nation from the danger and pressure of a long continued
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Parliament : Whereas a new chosen *House of Commons*, especially if it were fixt, and known that it could not remain long, could not be apprehended to have any affectation to exceed their just bounds, nor to renew a Contest, where the *Interest* of the *People* is manifestly on the *Lords* side; for besides the undoubted Right and constant Practice that the *Lords* enjoy in the Case of *Appeals* from *Courts of Equity*, all other Expedients when well considered, give the *Crown*, the *Favourites* and *Ministers* the power over every mans *Estate* in *England*.

Thus you see 'tis the *Interest* of all sorts of men to have a *New Parliament*; This will give the *King* constant and never-failing *Supplies* with the hearts and good-will of his *People*: This will not only preserve the *Church* in the Honours, Dignities and Revenues she now enjoys, and make her the *Protetrix* and *Asylum* of all the *Protestants* through *Europe*, but will also encrease the Maintenance of the *Ministry* in *Corporations* and great *Towns*, which is now much wanting, and of great concern to the *Church*. This will procure the dissenting *Protestants* Ease, Liberty, and Protection: The *Papists* may justly expect by this to be delivered from that grievous pressure of *penal Laws* they lie under, if they can be contented with being deprived of access to *Court*, bearing *Offices* or *Arms*: The great *Officers* and *Ministers* may under this enjoy their *places* undisturbed and in quiet, and be secure with a moderate Conduct, and reasonable Condescensions to attain that in a *new Parliament* which they have by experience found is impossible in the *old*. In a word, there is not to be imagined an *Interest* against this, unless there be an inveterate party still remaining in our World, who to compass their Revenge, and repair their broken Fortunes, would hope to see the *A& of Oblivion* set aside, and this happy *Monarchy* turned into an *absolute, Arbitrary, Military Government*; But Charity bids us hope there are no such Men.

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